

CHAPTER 10  
THOROUGHBRED RACING

**491—10.1(99D) Terms defined.** As used in the rules, unless the context otherwise requires, the following definitions apply:

“*Age*” means the age of a horse reckoned from the first day of January of the year of foaling.

“*Allowance race*” means an overnight race for which eligibility and weight to be carried is determined according to specified conditions which include age, sex, earnings and number of wins.

“*Also eligible*” means:

1. A number of eligible horses, properly entered, which were not drawn for inclusion in a race, but which become eligible according to preference or lot if an entry is scratched prior to the scratch time deadline; or

2. The next preferred nonqualifier for the finals or consolation from a set of elimination trials which will become eligible in the event a finalist is scratched by the stewards for a rule violation or is otherwise eligible if written race conditions permit.

“*Appeal*” means a request for the commission or its designee to investigate, consider and review any decisions or rulings of stewards.

“*Arrears*” means all moneys owed by a licensee, including subscriptions, jockey fees, forfeitures, and any default incident to these rules.

“*Association*” means a nonprofit corporation defined in Iowa Code section 99D.8 and authorized by the commission to conduct pari-mutuel wagering on horse racing and simulcasting and holding an annual license authorizing the specific dates of the racing or simulcasting meet.

“*Association grounds*” means all real property utilized by the association in the conduct of its race meeting, including the racetrack, grandstand, concession stands, offices, barns, stable area, employee housing facilities and parking lots and any other areas under the jurisdiction of the commission.

“*Beneficial interest*” means profit, benefit or advantage resulting from a contract or the ownership of an estate as distinct from the legal ownership or control. When considered as designation of character of an estate, is such an interest as a devisee, legatee or donee takes solely for their own use or benefit and not as holder of title for use and benefit of another.

“*Bleeder*” means a horse which hemorrhages from within the respiratory tract during a race or within one and one-half hours post-race, or during exercise or within one and one-half hours of exercise.

“*Bleeder list*” means a tabulation of all bleeders to be maintained by the commission.

“*Breeder*” means the owner of the horse’s dam at the time of foaling.

“*Chemist*” means any official racing chemist designated by the commission.

“*Claiming race*” means one which includes a condition that any horse starting the race may be claimed and purchased by any licensed owner, or person(s) approved by the commission for an owner’s license, for an amount specified in the conditions for that race by the racing secretary.

“*Commission*” means the Iowa racing and gaming commission.

“*Conditions*” means qualifications which determine a horse’s eligibility to be entered in a race.

“*Contest*” means a competitive racing event on which pari-mutuel wagering is conducted.

“*Day*” means a 24-hour period beginning at 12:01 a.m. and ending at midnight, also referred to as a race day.

“*Dead heat*” means the finish of a race in which the noses of two or more horses reach the finish line at the same time.

*“Declaration”* means the act of withdrawing an entered horse from a race prior to the closing of entries.

*“Detention barn”* means the barn designated for the collection from horses of test samples under the supervision of the commission veterinarian; also the barn assigned by the commission to a horse on the bleeder list, for occupancy as a prerequisite for receiving bleeder medication.

*“Entry”* means:

1. A horse made eligible to run in a race; or
2. Two or more horses, entered in the same race, which have common ties of ownership, lease or training.

*“Field or mutuel field”* means a group of two or more horses upon which a single bet may be placed. A mutuel field is required when the number of horses starting in a race exceeds the capacity of the track totalizator. The highest numbered horse within the totalizator capacity and all the higher-numbered horses following are then grouped together in the mutuel field.

*“Financial interest”* means an interest that could result in directly or indirectly receiving a pecuniary gain or sustaining a pecuniary loss as a result of ownership or interest in a horse or business entity; or as a result of salary, gratuity or other compensation or remuneration from any person. The lessee and lessor of a horse have a financial interest.

*“Foreign substances”* means all substances except those which exist naturally in the untreated horse at normal physiological concentration.

*“Forfeit”* means money due by a licensee because of an error, fault, neglect of duty, breach of contract or penalty imposed by order of the stewards or the commission.

*“Handicap”* means a race in which the weights to be carried by the horses are assigned by the racing secretary or handicapper for the purpose of equalizing the chances of winning for all horses entered.

*“Horse”* means any equine (including and designated as a mare, filly, stallion, colt, ridgeling or gelding) registered for racing; specifically, an entire male five years of age or older.

*“Hypodermic injection”* means any injection into or under the skin or mucosa, including intradermal injection, subcutaneous injection, submucosal injection, intramuscular injection, intravenous injection, intra-arterial injection, intra-articular injection, intrabursal injection, intraocular (intraconjunctival) injection.

*“Inquiry”* means an investigation by the stewards of potential interference in a contest prior to declaring the result of said contest official.

*“Jockey”* means a professional rider licensed to ride in races.

*“Licensee”* means any person or entity holding a license from the commission to engage in racing or related regulated activity.

*“Maiden race”* means a contest restricted to nonwinners.

*“Meet/meeting”* means the specified period and dates each year during which an association is authorized by the commission to conduct pari-mutuel wagering on horse racing and simulcasting.

*“Month”* means a calendar month.

*“Nomination”* means the naming of a horse to a certain race or series of races generally accompanied by payment of a prescribed fee.

*“Nominator”* means the person or entity in whose name a horse is nominated for a race or series of races.

*“Objection”* means:

1. A written complaint made to the stewards concerning a horse entered in a race and filed not later than two hours prior to the scheduled post time of the first race on the day in which the questioned horse is entered; or

2. A verbal claim of foul in a race lodged by the horse’s jockey, trainer, owner or the owner’s authorized agent before the race is declared official.

*“Official starter”* means the official responsible for dispatching the horses for a race.

*“Official time”* means the elapsed time from the moment the first horse crosses the starting point until the first horse crosses the finish line.

*“Overnight race”* means a race for which entries close 96 hours, or less, before the time set for the first race of the day on which the race is to be run.

*“Owner”* means a person who holds any title, right or interest, whole or partial in a horse, including the lessee and lessor of a horse.

*“Paddock”* means an enclosure in which horses scheduled to compete in a contest are saddled prior to racing.

*“Performance”* means a schedule of 9 to 11 races per day unless otherwise authorized by the commission.

*“Post position”* means the preassigned position from which a horse will leave the starting gate.

*“Post time”* is the scheduled starting time for a contest.

*“Prize”* means the combined total of any cash, premium, trophy and object of value awarded to the owners of horses according to order of finish in a race.

*“Purse”* means the total cash amount for which a race is contested.

*“Purse race”* means a race for money or other prize to which the owners of horses entered do not contribute money toward its purse and for which entries close less than 96 hours prior to its running.

*“Race”* means a running contest between thoroughbred horses ridden by jockeys for a purse, prize, or other reward run at a licensed association in the presence of the stewards of the meeting. This includes purse races, overnight races and stakes races.

*“Recognized meeting”* means any meeting with regularly scheduled races for thoroughbred horses on the flat in a jurisdiction having reciprocal relations with this state and the commission for the mutual enforcement of rulings relating to thoroughbred racing.

*“Rules”* means the rules promulgated by the commission to regulate the conduct of horse racing and simulcasting.

*“Scratch”* means the act of withdrawing an entered horse from a contest after the closing of entries.

*“Scratch time”* means the deadline set by the association for withdrawal of entries from a scheduled performance.

*“Simulcasting”* means the live audio and visual transmission of a contest to another location for pari-mutuel wagering purposes.

*“Simulcasting meet”* means the specified period and dates during which an association is authorized by the commission to conduct pari-mutuel wagering on contests received by television signal.

*“Stakes race”* means a contest in which nomination, entry and starting fees contribute to the purse.

*“Starter”* means a horse which becomes an actual contestant in a race by virtue of the starting gate opening in front of it upon dispatch by the official starter.

*“Steward”* means a duly appointed racing official with powers and duties specified by rules.

“*Subscription*” means moneys paid for nomination, entry, eligibility or starting of a horse in a stakes race.

“*Test level*” means the concentration of a foreign substance found in the test sample.

“*Test sample*” means any bodily substance including but not limited to blood or urine taken from a horse under the supervision of the commission veterinarian and as prescribed by the commission for the purpose of analysis.

“*Totalizator*” means the system used for recording, calculating, and dissemination of information about ticket sales, wagers, odds and payoff prices to patrons at a pari-mutuel wagering facility.

“*Track license*” means an authorization by the commission to an association to conduct pari-mutuel wagering on horse racing and simulcasting, at a specified place.

“*Track licensee*”—see “*Association*.”

“*Veterinarian*” means a veterinarian licensed by the appropriate state regulatory authority and the commission.

“*Winner*” means the horse whose nose reaches the finish line first or is placed first through disqualification by the stewards.

“*Year*” means a calendar year.

#### **491—10.2(99D) Racing officials.**

**10.2(1) *General description.*** Every association conducting a race meeting shall appoint at least the following officials:

- a. One of the members of a three-member board of stewards;
- b. The racing secretary;
- c. The paddock judge;
- d. The horse identifier;
- e. The clerk of the course;
- f. The starter;
- g. The clocker/timer;
- h. Three placing judges;
- i. Jockey room custodian;
- j. Chartwriter;
- k. Assistant race secretary;
- l. Mutuel manager;
- m. Clerk of scales.

**10.2(2) *Eligibility for officials.*** Rescinded IAB 8/17/94, effective 9/21/94.

**10.2(3) *Official's prohibited activities.*** No racing official or the racing official's assistant(s) listed in 10.2(1) while serving during any meeting in that capacity may engage in any of the following:

- a. A business or employment which would be a conflict of interest or interfere or conflict with the proper discharge of duties including:
  1. A business which does business with an association;
  2. A business issued a concession operator's license.
- b. Participate in the sale or purchase, or ownership of any horse racing at the meeting;
- c. Be involved in any way in the purchase or sale of any contract on any jockey racing at the meeting;
- d. Sell or solicit horse insurance on any horse racing at the meeting; or any other business sales or solicitation not a part of the official's duties;

- e.* Wager on the outcome of any race under the jurisdiction of the commission;
- f.* Accept or receive money or anything of value for the official's assistance in connection with the official's duties;
- g.* Be licensed in any other capacity without permission of the commission, or in case of an emergency, the permission of the stewards;
- h.* Consume or be under the influence of alcohol or any prohibited substance while performing official duties.

**10.2(4) *Report of violations.*** Every racing official and assistant(s) is responsible to report immediately to the stewards of the meeting every observed violation of these rules and of the laws of this state which occur within the official's jurisdiction.

**10.2(5) *Single official appointment.*** No official appointed to any meeting, except placing judges, may hold more than one official position listed in 10.2(1) unless in the determination of the stewards or commission, the holding of more than one appointment would not subject the official to a conflict of interests and duties in the two appointments.

**10.2(6) *Stewards.*** (For practice and procedure before the stewards and the racing commission, see Chapter 4.)

*a. General authority.*

(1) **General.** The board of stewards for each racing meet shall be responsible to the commission for the conduct of the racing meet in accordance with the laws of this state and the rules adopted by the commission. The stewards shall have authority to resolve conflicts or disputes between all other racing officials, licensees, and those persons addressed by 491—4.6(99D,99F), numbered paragraph "8," where the disputes are reasonably related to the conduct of a race, or races, and to punish violators of these rules in accordance with provisions of these rules.

(2) **Appointment of substitute.** Should any steward be absent at race time, the other two stewards shall agree on the appointment of a deputy for the absent steward or if they are unable to agree on a deputy, then the racing secretary shall appoint a deputy for that race. If any deputy steward is appointed, the commission shall be notified immediately by the stewards.

(3) **Attendance.** All three stewards shall be present in the stand during the running of each race, except during simulcasting when one commission steward or commission representative shall be on the premises.

(4) **Period of authority.** The period of authority shall commence 30 days prior to the beginning of each racing or simulcasting meet and shall terminate 30 days after the end of each racing or simulcasting meet or with the completion of their business pertaining to the meeting.

(5) **Initiate action.** Stewards may, from their own observations, take notice of alleged misconduct or rule violations and initiate investigations and compliance of possible rule violations.

(6) **General enforcement provisions.** Stewards shall enforce the laws of Iowa and the rules of racing during racing and simulcasting. They shall have authority to charge any licensee for a violation of these rules, to conduct hearings and to impose fines or suspensions within the limits and procedures of the Iowa racing commission. The decision of the stewards as to the extent of a disqualification of any horse in any race shall be final for purposes of distribution of the pari-mutuel pool.

*b. Duties of stewards.*

(1) The laws of Iowa and the rules of racing supersede the conditions of a race and the regulations of a racing meet and, in matters pertaining to racing, the orders of the stewards supersede the orders of the officers of the association.

(2) The stewards shall have the authority to interpret the rules and to decide all questions not specifically covered by them.

(3) All questions pertaining to which their authority extends shall be determined by a majority of the stewards.

(4) The stewards shall have the authority to regulate and control owners, trainers, grooms and other persons attendant to horses, officials, licensed personnel of the meeting, and those persons addressed by 491—4.3(99D,99F), numbered paragraph “8.”

(5) The stewards shall have control over and access to all areas of the racetrack grounds.

(6) The stewards shall have the authority to determine all questions arising with reference to entries and racing.

(7) Persons entering horses to run on licensed Iowa tracks agree in so doing to accept the decision of the stewards on any questions relating to a race or racing.

(8) The stewards shall have the authority to punish for violation of the rules any person subject to their control and in their discretion to impose fines or suspensions or both for infractions.

(9) The stewards shall have the authority to order the exclusion or ejection from all premises and enclosures of the association any person who is disqualified for corrupt practices on any race course in any country.

(10) The stewards shall have the authority to call for proof that a horse is neither itself disqualified in any respect, nor nominated by, nor the property, wholly or in part, of a disqualified person, and in default of proof being given to their satisfaction, they may declare the horse disqualified.

(11) The stewards shall have the authority at any time to order an examination, by person or persons they think fit, of any horse entered for a race or which has run in a race.

(12) The stewards shall take notice of any questionable conduct with or without complaint and shall investigate promptly and render a decision on every objection and on every complaint made to them.

(13) The stewards, in order to maintain necessary safety and health conditions and to protect the public confidence in horse racing as a sport, shall have the right to authorize a person or persons in their behalf to enter into or upon the buildings, barns, motor vehicles, trailers or other places within the grounds of a licensed racetrack, to examine same, and to inspect and examine the person, personal property, and effects of any person within such place, and to seize any illegal articles or any items as evidence found.

(14) Upon the finding of a violation of these rules, or an attempted violation, on the grounds of a licensed facility, the stewards may suspend the license of any person for one calendar year or racing season, whichever is greater, or they may impose a fine not to exceed \$1000 or both. In addition, the stewards may redistribute the purse. They may also suspend the license of any person currently under suspension or in bad standing in any other state or jurisdiction by the state racing commission or a board of stewards of any recognized meeting. They may also order the redistribution of purse payments where appropriate. All suspensions and fines must be reported to the commission. If the punishment so imposed is not, in the opinion of the stewards, sufficient, they shall so report to the commission. All fines and suspensions imposed by the stewards shall be promptly reported to the racing secretary and racing commission.

*c. Emergency authority.*

(1) Substitute officials. When in an emergency any official is unable to discharge duties, the stewards may approve the appointment of a substitute and shall report it immediately to the commission.

(2) Substitute jockeys. The stewards have the authority in an emergency to place a substitute jockey on any horse in the event the trainer does not do so. Before using that authority, the stewards shall in good faith attempt to inform the trainer of the emergency and to afford the trainer the opportunity to appoint a substitute jockey. If the trainer cannot be contacted, or if the trainer is contacted but fails to appoint a substitute jockey and to inform the stewards by 30 minutes prior to post time, then the stewards may appoint under this rule.

(3) Substitute trainer. The stewards have the authority in an emergency to designate a substitute trainer for any horse.

(4) Excuse horse. In case of accident or injury to a horse or any other emergency deemed by the stewards before the start of any race, the stewards may excuse the horse from starting.

(5) Exercise authority. No licensee may exercise a horse on the track between races unless upon the approval of the stewards.

*d. Investigations and decisions.*

(1) Investigations. The stewards may, upon direction of the commission, conduct inquiries and shall recommend to the commission the issuance of subpoenas to compel the attendance of witnesses and the production of reports, books, papers and documents for any inquiry. The commission stewards have the power to administer oaths and examine witnesses and submit a written report of every such inquiry made by them to the commission.

(2) Cancel trifecta. The stewards have the authority to cancel trifecta wagering at any time they determine an irregular pattern of wagering or determine that the conduct of the race would not be in the interest of the regulation of the pari-mutuel wagering industry or in the public confidence in racing. The stewards shall cancel trifecta wagering anytime there are fewer than seven betting interests at the time the horses leave the paddock for the post. The administrator may approve smaller fields for trifecta wagering if extraneous circumstances are shown by the licensee.

(3) Form reversal. The stewards shall take notice of any marked reversal of form by any horse and shall conduct an inquiry of the horse's owner, trainer or other persons connected with the horse including any person found to have contributed to the deliberate restraint or impediment of a horse in order to cause it not to win or finish as near as possible to first.

(4) Fouls.

1. Extent of disqualification. Upon any claim of foul submitted to them, the stewards shall determine the extent of any disqualification and shall place any horse found to be disqualified behind others in the race with which it interfered or may place the offending horse last in the race.

2. Coupled entry. When a horse is disqualified under this rule and that horse was a part of a coupled entry and, in the opinion of the stewards, the act which led to the disqualification served to unduly benefit the other part of the coupled entry, the stewards may, at their discretion, disqualify the other part of the entry.

3. Jockey guilty of foul. The stewards may discipline any jockey whose horse has been disqualified as a result of a foul committed during the running of a race.

(5) Protests and complaints. The stewards shall investigate promptly and render a decision in every protest and complaint made to them. They shall keep a record of all protests and complaints and any rulings made by the stewards and file reports daily with the commission.

1. Involving fraud. Protests involving fraud may be made by any person at any time to the stewards.

2. Not involving fraud. Protests, except those involving fraud, may be filed only by the owner of a horse, authorized agent, the trainer, or the jockey of the horse in the race over which the protest is made. The protest must be made to the clerk of the scales or to the stewards before the race is declared official. If the placement of the starting gate is in error, no protest may be made, unless entered prior to the start of the race.

3. Protest to clerk of scales. A jockey who intends to enter a protest to the clerk of scales following the running of any race, and before the race is declared official, shall notify the clerk of scales of this intention immediately upon the arrival of the jockey at the scales or a person designated by the stewards to be notified.

4. Prize money of protested horse. During the time of determination of a protest, any money or prize won by a horse protested or otherwise affected by the outcome of the race shall be paid to and held by the horsemen's accountant until the protest is decided.

5. Protest in writing. A protest, other than one arising out of the actual running of a race, must be in writing, signed by the complainant, and filed with the stewards one hour before post time of the race out of which the protest arises.

6. Frivolous protests. No person or licensee shall make a frivolous protest nor may any person withdraw a protest without the permission of the stewards.

**10.2(7) Racing secretary.**

a. *General authority.* The racing secretary is responsible for setting the conditions for each race of the meeting, regulating the nomination of entries, determining the amounts of purses and to whom they are due, and recording of racing results. The racing secretary shall permit no person other than licensed racing officials to enter the racing secretary's office or work areas until such time as all entries are closed, drawn, smoked, etc. Exceptions to this rule must be approved by the stewards.

(1) Minimum purse. Thirty days prior to the opening of a race meeting, the association shall present to the commission for approval the proposed purse structure for the race meeting including the minimum purse to be offered. Any contract with an organization representing the horsemen shall also be presented for commission approval at this time.

(2) Purse supplements for Iowa-bred horses. The commission shall also approve the proposed plan for purse supplements for the owners of Iowa-bred horses to be funded by the breakage as provided in Iowa Code section 99D.12.

b. *Conditions.* The secretary shall establish the conditions and eligibility for entering the races of the meeting and cause them to be published to owners, trainers and the commission. Unless otherwise provided by the conditions, the winner of a certain sum means the winner of a single race of that sum. Corrections to the conditions must be made within 24 hours of publication.

c. *Posting of entries.* Upon the closing of entries each day, the secretary shall post a list of entries in a conspicuous location in the office of the secretary and furnish that list to local newspaper, radio and television stations.

d. *Stakes and entrance money records.* The secretary shall be caretaker of the permanent records of all stakes, entrance moneys and arrears paid or due in a race meeting and shall keep permanent records of the results of each race of the meeting.

e. *Record of racing.* The secretary shall no later than the day following each race, attach or endorse on the registration certificate of each horse winning in any race the fact of that winning performance and the distance, the date of the race, and the type or conditions of the race.



*f. Naming/engaging of riders.* Riders must be named at the time of entry or in no case later than scratch time. Before naming any rider, the trainer, owner or other person authorized must first engage the services of the rider and state on the entry or to the clerk of scales whether it is a first or second call. Riders properly engaged must fulfill their requirements as provided in 10.4(19) "g."

*g. Handicapping.* The secretary, or a handicapper assigned by the secretary, shall assign the weight to be carried by each horse in a handicap when weights are not stated in the condition of the race:

(1) Scale of weights for age;

(2) Sex allowances. In all races except handicaps and races where the conditions expressly state to the contrary, two-year-old fillies are allowed three pounds; mares three years old and upward are allowed five pounds before September 1 and three pounds thereafter.

*h. Penalties not cumulative.* Penalties and weight allowances are not cumulative unless so declared in the conditions of a race by the secretary.

*i. Winnings.*

(1) All inclusive. For the purpose of the setting of conditions by the secretary, winnings shall be considered to include all moneys and prizes won up to the time of the start of a race, including those races outside the United States. Foreign winnings shall be determined on the basis of the normal rate of exchange prevailing on the day of the win.

(2) Winnings considered from January 1. Winnings during the year shall be reckoned by the secretary from the preceding January 1.

(3) Winner of a certain sum. Winner of a certain sum means the winner of a single race of that sum, unless otherwise expressed in the condition book by the secretary. In determining the net value to the winner of any race, the sums contributed by its owner or nominator shall be deducted from the amount won. In all stakes races, the winnings shall be computed on the value of the gross earnings.

(4) Winner's award. Unless the conditions of a race provide otherwise, the entrance money, starting and subscription fees and other contributions shall go to the winner of the race. If for any reason a race is not run, those entrance, starting and subscription fees shall be returned to the nominators.

*j. Cancellation of a race.* The secretary has the authority to withdraw, cancel or change any race which has not been closed. In the event the canceled race is a stakes race, all subscriptions and fees paid in connection with the race shall be refunded.

*k. Coggins test.* The racing secretary shall ensure that all horses have a current negative Coggins test. The racing secretary shall report all expired certificates to the board of stewards.

**10.2(8) Paddock judge.**

*a. General authority.* The paddock judge shall:

(1) Supervise the assembly of horses in the paddock no later than 15 minutes before the scheduled post time for each race;

(2) Maintain a written record of all equipment, inspect all equipment of each horse saddled and report any change thereof to the stewards;

(3) Prohibit any change of equipment without the approval of the stewards;

(4) Ensure that the saddling of all horses is orderly, open to public view, free from public interference, and that horses are mounted at the same time, and leave the paddock for the post in proper sequence;

(5) Supervise paddock schooling of all horses approved for such by the stewards;

(6) Report to the stewards any observed cruelty to a horse;

(7) Ensure that only properly authorized persons are permitted in the paddock; and

(8) Report to the stewards any unusual or illegal activities.

*b. Paddock judge's list.*

(1) The paddock judge shall maintain a list of horses which shall not be entered in a race because of poor or inconsistent behavior in the paddock that endangers the health or safety of other participants in racing.

(2) At the end of each day, the paddock judge shall provide a copy of the list to the stewards.

(3) To be removed from the paddock judge's list, a horse must be schooled in the paddock and demonstrate to the satisfaction of the paddock judge and the stewards that the horse is capable of performing safely in the paddock.

**10.2(9) Horse identifier.**

*a. General authority.* The horse identifier shall:

(1) When required, ensure the safekeeping of registration certificates and racing permits for horses stabled or racing on association grounds;

(2) Inspect documents of ownership, eligibility, registration or breeding necessary to ensure the proper identification of each horse scheduled to compete at a race meeting;

(3) Examine every starter in the paddock for sex, color, markings and lip tattoo, for comparison with its registration certificate to verify the horse's identity; and

(4) Supervise the tattooing or branding for identification of any horse located on association grounds.

*b. Report violations.* The horse identifier shall report to the stewards any horse not properly identified or whose registration certificate is not in conformity with these rules.

**10.2(10) Clerk of scales.** The clerk of scales shall:

*a.* Verify the presence of all jockeys in the jockey's room at the appointed time;

*b.* Verify that all such jockeys have a current jockey's license issued by the commission;

*c.* Verify the correct weight of each jockey at the time of weighing out and weighing in and report any discrepancies to the stewards immediately;

*d.* Oversee the security of the jockey's room including the conduct of the jockeys and their attendants;

*e.* Promptly report to the stewards any infraction of the rules with respect to weight, weighing, riding equipment or conduct;

*f.* Record all required data on the scale sheet and submit that data to the horsemen's bookkeeper at the end of each race day;

*g.* Maintain the record of applicable winning races on all apprentice certificates at the meeting;

*h.* Release apprentice jockey certificates, upon the jockey's departure or upon the conclusion of the race meet; and

*i.* Assume the duties of the jockey room custodian in the absence of such employee.

**10.2(11) Starter.**

*a. General authority.* The starter shall:

(1) Have complete jurisdiction over the starting gate, the starting of horses and the authority to give orders not in conflict with the rules as may be required to ensure all participants an equal opportunity to a fair start;

(2) Appoint and supervise assistant starters who have demonstrated they are adequately trained to safely handle horses in the starting gate. In emergency situations, the starter may appoint qualified individuals to act as substitute assistant starters;

(3) Assign the starting gates stall positions to assistant starters and notify the assistant starters of their respective stall positions more than ten minutes before post time for the race;

(4) Assess the ability of each person applying for a jockey's license in breaking from the starting gate and working a horse in the company of other horses, and shall make said assessment known to the stewards; and

(5) Load horses into the gate in any order deemed necessary to ensure a safe and fair start.

*b. Assistant starters.* With respect to an official race, the assistant starters shall not:

(1) Handle or take charge of any horse in the starting gate without the expressed permission of the starter;

(2) Impede the start of a race;

(3) Apply a whip or other device, with the exception of steward-approved twitches, to assist in loading a horse into the starting gate;

(4) Slap, boot or otherwise dispatch a horse from the starting gate;

(5) Strike or use abusive language to a jockey; or

(6) Accept or solicit any gratuity or payment other than their regular salary, directly or indirectly, for services in starting a race.

*c. Starter's list.* No horse shall be permitted to start in a race unless approval is given by the starter. The starter shall maintain a starter's list of all horses which are ineligible to be entered in any race because of poor or inconsistent behavior or performance in the starting gate. Such horse shall be refused entry until it has demonstrated to the starter that it has been satisfactorily schooled in the gate and can be removed from the starter's list. Schooling shall be under the direct supervision of the starter.

*d. Report violations.* The starter and assistant starter shall report all unauthorized activities to the stewards.

**10.2(12) Timer/clocker.**

*a. General authority—timer.*

(1) The timer shall accurately record the time elapsed between the start and finish of each race.

(2) The time shall be recorded from the instant that the first horse leaves the point from which the distance is measured until the first horse reaches the finish line.

(3) At the end of a race, the timer shall post the official running time on the infield totalizator board on instruction by the stewards.

(4) At a racetrack equipped with an appropriate infield totalizator board, the timer shall post the quarter times (splits) for thoroughbred races in fractions as a race is being run. For quarter horse races, the timer shall post the official times in hundredths of a second.

(5) For backup purposes, the timer shall also use a stopwatch to time all races. In time trials, the timer shall ensure that at least two stopwatches are used by the stewards or their designees.

(6) The timer shall maintain a written record of fractional and finish times of each race and have same available for inspection by the stewards or the commission on request.

*b. General authority—clocker.*

(1) The clocker shall be present during training hours at each track on association grounds, which is open for training, to identify each horse working out and to accurately record the distances and times of each horse's workout.

(2) Each day, the clocker shall prepare a list of workouts that describes the name of each horse which worked along with the distance and time of each horse's workout.

(3) At the conclusion of training hours, the clocker shall deliver a copy of the list of workouts to the stewards and the racing secretary.

**10.2(13) Patrol judges.**

*a. General authority.* An association may employ patrol judges who shall observe the running of the race and report information concerning the running of the race to the stewards.

*b. Duty stations.* Each patrol judge shall have a duty station assigned by the stewards.

**10.2(14) Placing judges.**

*a. General authority.* The placing judges shall determine the order of finish in a race as the horses pass the finish line, and with the approval of the stewards, may display the results on the totalizator board.

*b. Photo finish.*

(1) In the event the placing judges or the stewards request a photo of the finish, the photo finish sign shall be posted on the totalizator board.

(2) Following their review of the photo finish film strip, the placing judges shall, with the approval of the stewards, determine the exact order of finish for all horses participating in the race, and shall immediately post the numbers of the first four finishers on the totalizator board.

(3) In the event a photo was requested, the placing judges shall cause a photographic print of said finish to be produced. The finish photograph shall, when needed, be used by the placing judges as an aid in determining the correct order of finish.

(4) Upon determination of the correct order of finish of a race in which the placing judges have utilized a photographic print to determine the first four finishers, the placing judges shall cause prints of said photograph to be displayed publicly in the grandstand and clubhouse areas of the racetrack.

*c. Dead heats.*

(1) In the event the placing judges determine that two or more horses finish the race simultaneously and cannot be separated as to their order of finish, a dead heat shall, with the approval of the stewards, be declared.

(2) In the event one or more of the first four finishers of a race are involved in a dead heat, the placing judges shall post the dead heat sign on the totalizator board and cause the numbers of the horse or horses involved to blink on the totalizator board.

**10.2(15) Commission veterinarians.**

*a.* The commission shall employ graduate veterinarians licensed to practice in the state of Iowa at each race meeting as provided in Iowa Code section 99D.23. The veterinarians shall advise the commission and the stewards on all veterinary matters.

*b.* The commission veterinarians shall have supervision and control of the detention barn for the collection of test samples for the testing of horses for prohibited medication as provided in Iowa Code sections 99D.23 and 99D.25. The commission may employ persons to assist the commission veterinarians in maintaining the detention barn area and collecting test samples.

*c.* The commission veterinarians shall not buy or sell any horse under their supervision; shall not wager on a race under their supervision; and shall not be licensed to participate in racing in any other capacity.

*d. Prerace examination.* The stewards or commission veterinarians may request any horse entered in a race to undergo an examination on the day of the race to determine the general fitness of the horse for racing. During the examination all bandages shall be removed by the groom upon request and the horse may be exercised outside the stall to permit the examiner to determine the condition of the horse's legs and feet. The examining veterinarian shall report any unsoundness in a horse to the stewards.

*e.* Inspection prior to and following a race. A commission veterinarian shall inspect all of the horses in a race at the starting gate and after the finish of a race shall observe the horses upon their leaving the track.

*f.* The commission veterinarian shall place any horse determined to be sick or too unsafe, unsound or unfit to race on a veterinarian's list which shall be posted in a conspicuous place available to all owners, trainers, and officials.

*g.* A horse placed on the veterinarian's list may be allowed to enter only after it has been removed from the list by the commission veterinarian. Requests for the removal of any horse from the veterinarian's list will be accepted only after three calendar days from the placing of the horse on the veterinarian's list have elapsed. Removal from the list will be at the discretion of the commission veterinarian who may require satisfactory workouts or examinations to adequately demonstrate that the problem that caused the horse to be placed on the list has been rectified.

*h.* The commission veterinarians shall perform the duties and responsibilities regarding:

(1) The administration of Lasix and phenylbutazone;

(2) Postmortem examination on all horses which have expired or been euthanized on racetrack grounds; and

(3) Receipt of veterinary reports as required by Iowa Code section 99D.25.

**10.2(16) Jockey room custodian.** The jockey room custodian shall:

*a.* Supervise the conduct of the jockeys and their attendants while they are in the jockey room;

*b.* Keep the jockey room clean and safe for all jockeys;

*c.* Ensure all jockeys are in the correct colors before leaving the jockey room to prepare for mounting their horses;

*d.* Keep a daily film list as dictated by the stewards and have it displayed in plain view for all jockeys;

*e.* Keep a daily program displayed in plain view for the jockeys so they may have ready access to mounts that may become available;

*f.* Keep unauthorized persons out of the jockey room;

*g.* Report to the stewards any unusual occurrences in the jockey room;

*h.* Assist the clerk of scales as required;

*i.* Supervise the care and storage of racing colors; and

*j.* Assign to each jockey a locker capable of being locked for the use of the jockey in storing clothing, equipment and personal effects.

**491—10.3(99D) Track licensees' and general manager's responsibilities.** Rescinded IAB 8/17/94, effective 9/21/94.

**491—10.4(99D) Trainer, jockey, and jockey agent responsibilities.**

**10.4(1) Trainer.**

*a. Responsibility.*

(1) The trainer is responsible for the condition of horses entered in an official workout or race and is responsible for the presence of any prohibited drug, medication or other substance, including permitted medication in excess of the maximum allowable level, in such horses, regardless of the acts of third parties. A positive test for a prohibited drug, medication or substance, including permitted medication in excess of the maximum allowable level, as reported by a commission-approved laboratory, is prima facie evidence of a violation of this rule or Iowa Code chapter 99D. In the absence of substantial evidence to the contrary, the trainer shall be responsible.

(2) A trainer shall prevent the administration of any drug or medication or other prohibited substance that may cause a violation of these rules.

(3) A trainer whose horse has been claimed remains responsible for the race in which the horse is claimed.

*b. Other responsibilities.* A trainer is responsible for:

(1) The condition and contents of stalls, tack rooms, feed rooms, sleeping rooms and other areas which have been assigned by the association;

(2) Maintaining the assigned stable area in a clean, neat and sanitary condition at all times;

(3) Ensuring that fire prevention rules are strictly observed in the assigned stable area;

(4) Providing a list to the commission of the trainer's employees on association grounds and any other area under the jurisdiction of the commission. The list shall include each employee's name, occupation, social security number and occupational license number. The commission shall be notified by the trainer, in writing, within 24 hours of any change. No trainer shall employ any person under the age of 16;

(5) The proper identity, custody, care, health, condition and safety of horses in their charge;

(6) Disclosure of the true and entire ownership of each horse in their care, custody or control. Any change in ownership shall be reported immediately to, and approved by, the administrator's designee and recorded by the racing secretary;

(7) Training all horses owned wholly or in part by them which are participating at the race meeting;

(8) Registering with the racing secretary each horse in their charge within 24 hours of the horse's arrival on association grounds;

(9) Ensuring that, at the time of arrival at a licensed racetrack, each horse in their care is accompanied by a valid health certificate which shall be filed with the racing secretary;

(10) Having each horse in their care that is racing, or is stabled on association grounds, tested for Equine Infectious Anemia (EIA) in accordance with state law and for filing evidence of such negative test results with the racing secretary. The test must have been conducted within the previous 12 months and must be repeated upon expiration. Certificate must be attached to foal certificate;

(11) Using the services of those veterinarians licensed by the commission to attend horses that are on association grounds;

(12) Immediately reporting the alteration of the sex of a horse in their care to the horse identifier and the racing secretary, whose office shall note such alteration on the certificate of registration;

(13) Promptly reporting to the racing secretary and the commission veterinarian any horse on which a posterior digital neurectomy (heel nerving) has been performed and ensuring that such fact is designated on its certificate of registration. See Iowa Code subsections 99D.25(1) to 99D.25(3);

(14) Promptly reporting to the stewards and the commission veterinarian the serious illness of any horse in their charge;

(15) Promptly reporting the death of any horse in their care on association grounds to the stewards, owner and the commission veterinarian and compliance with the rules in Chapter 10 governing post-mortem examination;

(16) Maintaining a knowledge of the medication record and status of all horses in their care;

(17) Immediately reporting to the stewards and the commission veterinarian if they know, or have cause to believe, that a horse in their custody, care or control has received any prohibited drugs or medication;

(18) Representing an owner in making entries and scratches and in all other matters pertaining to racing;

(19) Horses entered as to eligibility and weight or other allowance claimed;

(20) Ensuring the fitness of a horse to perform creditably at the distance entered;

(21) Ensuring that their horses are properly shod, bandaged and equipped;

(22) Presenting their horse in the paddock at least 20 minutes before post time or at a time otherwise appointed before the race in which the horse is entered;

(23) Personally attending to their horses in the paddock and supervising the saddling thereof, unless excused by the stewards;

(24) Instructing the jockey to give their best effort during a race and that each horse shall be ridden to win;

(25) Attending the collection of a urine or blood sample from the horse in their charge or delegating a licensed employee or the owner of the horse to do so; and

(26) Notifying horse owners upon the revocation or suspension of their trainer's license. Upon application by the owner, the stewards may approve the transfer of such horses to the care of another licensed trainer, and upon such approved transfer, such horses may be entered to race.

*c. Restrictions on wagering.* A trainer with a horse(s) entered in a race shall only be allowed to wager on that horse(s) or that horse(s) in combination with other horses.

*d. Assistant trainers.*

(1) Upon the demonstration of a valid need, a trainer may employ an assistant trainer as approved by the stewards. The assistant trainer shall be licensed prior to acting in such capacity on behalf of the trainer.

(2) Qualifications for obtaining an assistant trainer's license shall be prescribed by the stewards and the commission and may include those requirements prescribed above.

(3) An assistant trainer may substitute for and shall assume the same duties, responsibilities and restrictions as imposed on the licensed trainer. In which case, the trainer shall be jointly responsible for the assistant trainer's compliance with the rules governing racing.

*e. Substitute trainers.*

(1) A trainer absent for more than five days from responsibility as a licensed trainer, or on a day in which the trainer has a horse in a race, shall obtain another licensed trainer to substitute.

(2) A substitute trainer shall accept responsibility for the horses in writing and be approved by the stewards.

(3) A substitute trainer and the absent trainer shall be jointly responsible as absolute insurers of the condition of their horses entered in an official workout or race.

#### **10.4(2) Jockey.**

*a. Responsibility.*

(1) A jockey shall give a best effort during a race, and each horse shall be ridden to win.

(2) A jockey shall not have a valet attendant except one provided and compensated by the association.

(3) No person other than the licensed contract employer or a licensed jockey agent, may make riding engagements for a rider, except that a jockey not represented by a jockey agent may make their own riding engagements.

(4) A jockey shall have no more than one jockey agent.

(5) No revocation of a jockey agent's authority is effective until the jockey notifies the stewards in writing of the revocation of the jockey agent's authority.

b. *Jockey betting.*

(1) A jockey shall only be allowed to wager on a race in which the jockey is riding. A jockey shall only be allowed to wager if:

- 1. The owner or trainer of the horse which the jockey is riding makes the wager for the jockey;
- 2. The jockey only wagers on the jockey's own mount to win or finish first in combination with other horses in multiple-type wagers; and
- 3. Records of such wagers are kept and available for presentation upon request by the stewards.

c. *Jockey's spouse.* A jockey shall not compete in any race against a horse which is trained or owned by the jockey's spouse.

d. *Jockey fees.*

(1) Schedule. The fee to jockeys, in the absence of special agreement, shall be in all races as follows (percentage (%) refers to percentage of owner's share of the purse and not total purse):

<u>Purse</u>	<u>Win</u>	<u>2nd</u>	<u>3rd</u>	<u>Unplaced</u>
\$400 and under	\$27	\$19	\$17	\$16
\$500	30	20	17	16
\$600	36	22	17	16
\$700-\$999	10%	25	22	20
\$1,000-\$1,499	10%	30	25	22
\$1,500-\$1,999	10%	35	30	28
\$2,000-\$3,499	10%	45	35	33
\$3,500-\$4,999	10%	55	45	35
\$5,000-\$9,999	10%	65	50	40
\$10,000-\$14,999	10%	5%	5%	45
\$15,000-\$24,999	10%	5%	5%	50
\$25,000-\$49,999	10%	5%	5%	60
\$50,000-\$99,999	10%	5%	5%	75
\$100,000 and up	10%	5%	5%	100

(2) Entitlement. Any apprentice or contract rider shall be entitled to the regular jockey fees, except when riding a horse owned in part or solely by the contract holder. An interest in the winnings only (such as trainer's percent) shall not constitute ownership.

(3) Fee earned. A jockey's fee shall be considered earned when the jockey is weighed out by the clerk of scales. The fee shall not be considered earned when jockeys, of their own free will, take themselves off their mounts, where injury to the horse or rider is not involved. Any conditions or considerations not covered by the above ruling shall be at the discretion of the stewards.

(4) Multiple engagements. If any owner or trainer engages two or more jockeys for the same race the owner or trainer shall be required to pay each of the jockeys whether the jockey rides in the race or not.

(5) Dead heats. Jockeys finishing a race in a dead heat shall divide equally the totals they individually would have received had one jockey won the race alone. The owners of the horses finishing in the dead heat shall pay equal shares of the jockey fees.

e. *Apprentices subject to jockey rules.* Unless excepted under these rules, apprentices are subject to all commission rules governing the conduct of jockeys and racing.



*f. Conduct.*

(1) Clothing and appearance. A jockey shall wear the colors furnished by the owner or association, and the number on the saddlecloth corresponding to the number given in the racing program. A jockey shall maintain a neat and clean appearance while engaged in duties on association premises and shall wear a clean jockey costume, cap, helmet (approved by commission), a jacket of silk or water-proof fabric, breeches, and top boots.

(2) Competing against contractor. No jockey may ride in any race against a starting horse belonging to the jockey's contract employer unless the jockey's mount and the contract employer's horse are both trained by the same trainer.

(3) Confined to jockey room. Jockeys engaged to ride a race shall report to the scale room on the day of the race at the time designated by association officials. They shall then report their engagements and any overweight to the clerk of scales. Thereafter, they shall not leave the jockey room except by permission of the stewards, until all of their riding engagements of the day have been fulfilled. Once riders have fulfilled their riding engagements for the day and have left the jockeys' quarters, they shall not be readmitted to the jockeys' quarters until after the entire racing program for that day has been completed, except upon permission of the stewards. Jockeys are not allowed to communicate with anyone but the trainer or agent while in the room during the performance except with approval of stewards. On these occasions, they should be accompanied by a security guard.

(4) Whip prohibited. Jockeys may not use a whip on a two-year-old horse before April 1 of each year, nor shall a jockey or other person engage in excessive or indiscriminate whipping of any horse at any time.

(5) Spurs prohibited. Jockeys shall not use spurs.

(6) Possessing drugs or devices. Jockeys shall not have in their care, control or custody any drugs or prohibited substances or any electrical or mechanical device that could affect a horse's racing performance.

*g. Jockey effort.* A jockey shall exert every effort to ride the horse to the finish in the best and fastest run of which the horse is capable. No jockey shall ease up or coast to a finish, without adequate cause, even if the horse has no apparent chance to win prize money.

*h. Duty to fulfill engagements.* Jockeys shall fulfill their duly scheduled riding engagements, unless excused by the stewards. Jockeys shall not be forced to ride a horse they believe to be unsound, nor over a racing strip they believe to be unsafe, but if the stewards find a jockey's refusal to fulfill a riding engagement is based on personal belief unwarranted by the facts and circumstances, the jockey may be subject to disciplinary action. Jockeys shall be responsible to their agent for any engagements previously secured by the agent.

*i. Riding interference.*

(1) Interference. When the way is clear in a race, a horse may be ridden to any part of the course, but may not weave nor cross in front of other contenders so as to interfere with their course or threaten their safety.

(2) Jostling. Jockeys shall not jostle another horse or jockey. Jockeys shall not strike another horse or jockey or ride so carelessly as to cause injury or possible injury to another horse in the race.

(3) Partial fault/third-party interference. If a horse or jockey interferes with or jostles another horse, the aggressor may be disqualified, unless the interfered or jostled horse or jockey was partly at fault or the infraction was wholly caused by the fault of some other horse or jockey.

(4) Careless riding. A jockey shall not ride carelessly or willfully permit the mount to interfere with or impede any other horse in the race. A jockey shall not willfully strike at another horse or jockey so as to impede, interfere with or injure the other horse or jockey. If a jockey rides in a manner contrary to this rule, the horse may be disqualified; or the jockey may be fined, suspended, or otherwise disciplined; or other penalties may apply.

*j. Jockey weighed out.*

(1) Jockeys must be weighed for their assigned horse not more than 30 minutes before the time fixed for the race.

(2) A jockey's weight shall include the jockey's clothing, boots, saddle and its attachments. A safety vest shall be mandatory, shall weigh no more than two pounds and shall be designed to provide shock-absorbing protection to the upper body of at least a rating of five, as defined by the British Equestrian Trade Association.

(3) All other equipment shall be excluded from the weight.

*k. Overweight limited.* No jockey may weigh more than two pounds, or in the case of inclement weather, four pounds over the weight the horse is assigned to carry unless with consent of the owner or trainer and unless the jockey has declared the amount of overweight to the clerk of the scales at least 45 minutes before the time of the race. However, a horse shall not carry more than seven pounds overweight, except in inclement weather when nine pounds shall be allowed. The overweight shall be publicly announced and posted in a conspicuous place both prior to the first race of the day and before the running of the race.

(1) Weigh in. Upon completion of a race, jockeys shall ride promptly to the winner's circle and dismount. They shall then present themselves to the clerk of scales to be weighed in. If a jockey is prevented from riding the mount to the winner's circle because of accident or illness either to the jockey or the horse, the jockey may walk or be carried to the scales unless excused by the stewards.

(2) Unsaddling. Jockeys, upon completion of a race, must return to the winner's circle and must unsaddle their own horse, unless excused by the stewards.

(3) Removing horse's equipment. No person except the valet-attendant for each mount is permitted to assist the jockey in removing the horse's equipment that is included in the jockey's weight, unless the stewards permit otherwise. To weigh in, jockeys shall carry to the scales all pieces of equipment with which they weighed out. Thereafter they may hand the equipment to the valet-attendant.

(4) Underweight. When any horse places first, second or third in a race, or is coupled in any form of multiple exotic wagering, and thereafter the horse's jockey is weighed in short by more than two pounds of the weight of which the jockey was weighed out, the mount may be disqualified and all purse moneys forfeited.

(5) Overweight. Jockeys may not be weighed in more than two pounds over the declared weight but consideration shall be given for excess weight caused by rain or mud. If the jockey is overweight the mount may be disqualified and all purse moneys forfeited.

*l. Contracts.*

(1) Jockey contracts. A jockey may contract with an owner or trainer to furnish jockey services whenever the owner shall require, and in that event a jockey shall not ride or agree to ride in any race for any other person without the consent of the owner or trainer to whom the jockey is under contract.

(2) Apprentice contracts and transfers.

1. Owners or trainers and apprentices who are parties to contracts for apprentice jockey services shall file a copy of the contract with the commission, upon forms approved by the commission, and shall upon any transfer, assignment, or amendment of the contract, immediately furnish a copy to the commission.

2. An apprentice jockey may not ride for a licensed owner or agent unless with the consent of the apprentice's contract employer.

(3) Contract condition. No person other than an owner, trainer, jockey agent or authorized agent of an owner in good standing shall make engagements for an apprentice jockey or jockey. However, jockeys not represented by an agent may make their own engagements.

*m. Jockey fines and forfeitures.* Jockeys shall pay any fine or forfeiture from their own funds within 48 hours of the imposition of the fine or at a time deemed proper by the stewards. No other person shall pay jockey fines or forfeitures for the jockey.

*n. Competing claims.* Whenever two or more licensees claim the services of one jockey for a race, first call shall have priority and any dispute shall be resolved by the stewards.

*o. Jockey suspension.*

(1) Offenses involving fraud. Suspension of a licensee for an offense involving fraud or deception of the public or another participant in racing shall begin immediately after the ruling unless otherwise ordered by the stewards or commission.

(2) Offenses not involving fraud. Suspension for an offense not involving fraud or deception of the public or another participant in racing shall begin on the third day after the ruling or at the stewards' discretion.

(3) Withdrawal of appeal. Withdrawal by the appellant of a notice of appeal filed with the commission whenever imposition of the disciplinary action has been stayed or enjoined pending a final decision by the commission shall be deemed a frivolous appeal and referred to the commission for further disciplinary action in the event the appellant fails to show good cause to the stewards why the withdrawal should not be deemed frivolous.

(4) Riding suspensions of ten days or less and participating in designated races. The stewards appointed for a race meeting shall immediately, prior to the commencement of that meeting, designate the stakes, futurities or futurity trials or other races in which a jockey will be permitted to compete, notwithstanding the fact that such jockey is technically under suspension for ten days or less for a riding infraction at the time the designated race is to be run.

1. Official rulings for riding suspensions of ten days or less shall state: "The term of this suspension shall not prohibit participation in designated races."

2. A listing of the designated races shall be posted in the jockey's room and any other such location deemed appropriate by the stewards.

3. A suspended jockey must be named at time of entry to participate in any designated race.

4. A day in which a jockey participated in one designated race while on suspension shall count as a suspension day.

**10.4(3) Jockey agent.**

*a. Responsibilities.*

(1) A jockey agent shall not make or assist in making engagements for a jockey other than those the agent is licensed to represent.

(2) A jockey agent shall file written proof of all agencies and changes of agencies with the administrator's designee.

(3) A jockey agent shall notify the administrator's designee, in writing, prior to withdrawing from representation of a jockey and shall submit to the administrator's designee a list of any unfulfilled engagements made for the jockey.

(4) All persons permitted to make riding engagements shall maintain current and accurate records of all engagements made, such records being subject to examination by the administrator's designee at any time.

*b. Prohibited areas.* A jockey agent is prohibited from entering the jockey room, winner's circle, racing strip, paddock or saddling enclosure during the hours of racing, unless permitted by the administrator's designee.

*c. Agent withdrawal.*

(1) When any jockey agent withdraws from a representation of a jockey, the jockey agent shall immediately notify the administrator's designee and shall submit to the administrator's designee a list of any unfulfilled engagements made for the jockey.

(2) A jockey agent shall not be permitted to withdraw from the representation of any jockey unless written notice to the administrator's designee has been provided.

#### **491—10.5(99D) Conduct of races.**

**10.5(1) *Horses ineligible.*** Any horse ineligible to be entered for a race, or ineligible to start in any race, which competes in that race may be disqualified and the stewards may discipline the persons responsible for the horse competing in that race. A horse is ineligible to start a race when:

*a.* The horse is not stabled on the grounds of the licensed association by the time so designated by the stewards, or

*b.* The horse's Jockey Club registration certificate is not on file with the racing secretary, or horse identifier, or

*c.* The horse is not fully identified by an official tattoo on the inside of the upper lip, or

*d.* With respect to a horse which is entered for the first time, the nominator has failed to identify the horse by name, color, sex and age and the names of sire and dam as registered, or

*e.* A horse is brought to the paddock and is not in the care of and saddled by a trainer or assistant trainer, or

*f.* A horse has been knowingly entered or raced in any jurisdiction under a different name, with an altered registration certificate, or altered lip tattoo by a person having lawful custody or control of the horse for the purpose of deceiving any association or regulatory agency, or

*g.* A horse has been allowed to enter or start by a person having lawful custody or control of the horse who participated in or assisted in the entry or racing of some other horse under the name of the horse in question, or

*h.* A horse is wholly or partially owned by a disqualified person or a horse is under the direct or indirect management of a disqualified person, or

*i.* A horse is wholly or partially owned by the spouse of a disqualified person or a horse is under the direct or indirect management of the spouse of a disqualified person, in such cases, it being presumed that the disqualified person and spouse constitute a single financial entity with respect to the horse, which presumption may be rebutted, or

- j.* A horse has no current negative Coggins test, or current negative equine infectious anemia test certificate attached to the registration certificate, or
- k.* The stakes or entrance money for the horse has not been paid, or
- l.* A horse appears on the starter's list, stewards' list, paddock list or veterinarian's list, or
- m.* A horse is a first time starter not approved by the starter (see also workouts), or not having two published workouts, or
- n.* A horse is owned in whole or in part by an undisclosed person or interest, or
- o.* A horse which has started in a race within the past calendar year which race has not been reported in a nationally published monthly chartbook, unless at least 48 hours prior to entry, the owner of the horse provides to the racing secretary under oath performance records which show the place and date of the race, the distance, the weight carried, the amount carried, and the horse's finishing position and time, or
- p.* In a stakes race, a horse has been transferred with its engagements, unless prior to the start, the fact of transfer of the horse and its engagements has been filed with the racing secretary, or
- q.* A horse is subject to a lien which has not been approved by the stewards and filed with the horsemen's bookkeeper, or
- r.* A horse is subject to a lease not filed with the stewards, or
- s.* A horse is not in sound racing condition, or
- t.* A horse has been nerved by surgical neurectomy, or
- u.* A horse has been trachea-tubed to artificially assist breathing, or
- v.* A horse has been blocked with alcohol or injected with any other foreign substance or drug to desensitize the nerves of the leg, or
- w.* A horse has impaired eyesight in both eyes.
- x.* A horse is ineligible to start a race when a horse appears on the starter's list, steward's list or veterinarian's list and is barred from racing in any racing jurisdiction.
- y.* Rescinded IAB 5/8/96, effective 6/12/96.

**10.5(2) Entries.**

*a. Filing.* The association shall provide forms for making entries and declarations with the racing secretary. Entries and declarations shall be in writing, or by telephone or telegraph subsequently confirmed in writing by the owner, trainer, or authorized agent. When any entrant or nominator claims failure or error in the receipt by an association of any entry or declaration, the entrant or nominator may be required to submit evidence within a reasonable time of the filing of the entry or the declaration.

*b. Posting.* Upon the closing of entries the racing secretary shall promptly compile a list of entries and cause it to be conspicuously posted.

*c. Coupling.*

(1) Entry coupling. When one owner or lessee enters more than one horse in the same race, the horses shall be coupled as an entry. Horses shall be regarded as having a common owner where an owner of one horse, either as an individual or as a licensed member of a partnership or as a licensed shareholder of a corporation, shall have an aggregate commonality of ownership of 10 percent interest in another horse, either as an individual or as a licensed member of a partnership or as a licensed shareholder of a corporation.

(2) Coupled entry limitations on owner. No more than two horses coupled by a common ownership or trainer shall be entered in an overnight race.

(3) *Coupling of entries by stewards.* The stewards shall couple as a single entry any horses which, in the determination of the stewards, are connected by common ownership or by common lessee or when the stewards determine that coupling is necessary in the interest of the regulation of the pari-mutuel wagering industry or is necessary to ensure the public's confidence in racing.

(4) *Exclusion of single interest.* Horses having the same owner, lessee or trainer shall not be permitted to enter or start if the effect would deprive a single interest from starting in overnight races.

*d. Splitting of a race.* If a race is canceled and declared off for insufficient entries, the association may split the list of entries for any other overnight race to provide an additional race to replace the one canceled. The racing secretary shall by lot divide the entries of the race so split into two different races.

*e. Entry weight.* Owners, trainers or any other person duly authorized by either who enter a horse for a race shall ensure that the entry is correct and accurate as to the weight allowances available and claimed for the horse under the conditions set for the race. After a horse is entered and has been assigned a weight to carry in the race, the assignment of weight shall not be changed except in the case of error.

*f. Horses run once daily.* No horse shall be entered for more than one race on the same day on which pari-mutuel wagering is conducted.

*g. Foreign entries.* For the purposes of determining eligibility, weight assignments or allowances for horses imported from a foreign nation, the racing secretary shall take into account the "Pattern Race Book" published jointly by the Irish Turf Club, The Jockey Club of Great Britain and the Societe d'Encouragement.

*h. Weight conversions.* For the purpose of determining eligibility, weight assignments or allowances for horses imported from a foreign nation, the racing secretary shall convert metric distances to English measures by reference to the following scale:

1 sixteenth	=	100 meters
1 furlong	=	200 meters
1 mile	=	1600 meters

*i. Name.* The "name" of a horse means the name reflected on the certificate of registration or racing permit or temporary racing permit issued by The Jockey Club. Imported horses shall have a suffix, enclosed by brackets, added to their registered names showing the country of foaling. This suffix is derived from the international code of suffixes and constitutes part of the horse's registered name. The registered names and suffixes, where applicable, shall be printed in the official program.

*j. Bona fide entry.* No person shall enter or attempt to enter a horse for a race unless that entry is a bona fide entry, made with the intention that the horse is to compete in the race for which the horse was entered.

*k. Registration certificate to reflect correct ownership.* Every Jockey Club foal certificate or American Quarter Horse Association registration certificate filed with the association and its racing secretary to establish the eligibility of a horse to be entered for any race shall accurately reflect the correct and true ownership of the horse. The name of the owner which is printed on the official program for the horse shall conform to the ownership as declared on the certificate of registration or eligibility certificate unless a stable name has been registered for the owner or ownership with the commission.

### **10.5(3) Sweepstakes entries.**

*a. Entry and withdrawal.* The entry of a horse in a sweepstakes is a subscription to the sweepstakes. Before the time of closing, any entry or subscription may be altered or withdrawn.

*b. Entrance money.* Entrance money shall be paid by the nominator to a race. In the event of the death of the horse or a mistake made in the entry of an otherwise eligible horse, the nominator subscriber shall continue to be obligated for any stakes, and the entrance money shall not be returned.

**10.5(4) Closing of entries.**

*a. Overnight entries.* Entries for overnight racing shall be closed at 10 a.m. by the racing secretary, unless a later closing is established by the racing secretary or unless approved by the stewards.

*b. Sweepstake entries.* If an hour for closing is designated, entries and declarations for sweepstakes cannot be received thereafter. However, if a time for closing is not designated, entries and declarations may be mailed or telegraphed until midnight of the day of closing, if they are received in time to comply with all other conditions of the race. In the absence of notice to the contrary, entries and declarations for sweepstakes which close during or on the day preceding a race meeting shall close at the office of the racing secretary in accordance with any requirements the secretary shall make. Closing for sweepstakes not during race meetings shall be at the office of the association.

*c. Exception.* Nominations for stakes races shall not close nor shall any eligibility payment be due on a day in which the United States Postal Service is not operating.

**10.5(5) Prohibited entries.**

*a. Entry by disqualified person.* An entry made by a disqualified person or the entry of a disqualified horse shall be void. Any money paid for the entry shall be returned if the disqualification is disclosed at least 45 minutes before post time for the race. Otherwise, the entry money shall be paid to the winner.

*b. Limited partner entry prohibited.* No person other than a managing partner of a limited partnership or a person authorized by the managing partner may enter a horse owned by that partnership.

*c. Altering entries prohibited.* No alteration shall be made in any entry after the closing of entries, but the stewards may permit the correction of an error in an entry.

*d. Limitation on overnight entries.* If the number of entries to any purse or overnight race is in excess of the number of horses that may be accommodated due to the size of the track, the starters for the race and their post positions shall be determined by lot conducted in public by the racing secretary.

*e. Stake race entry limit.* In a stake race, the number of horses which may compete shall be limited only by the number of horses nominated and entered. In any case, the association's lawful race conditions shall govern.

*f. Stewards' denial of entry.* The stewards may, after notice to the entrant, subscriber, or nominator, deny entry of any horse to a race if the stewards determine the entry to be in violation of these rules or the laws of this state or to be contrary to the interests of the commission in the regulation of pari-mutuel wagering or to public confidence in racing.

**10.5(6) Preferences and eligibles.**

*a. "Also eligible."* A list of not more than eight names may be drawn from entries filed in excess of positions available in the race. These names shall be listed as "also eligible" if originally entered horses are withdrawn. Any owner, trainer or authorized agent who has entered a horse listed as an "also eligible" and who does not wish to start shall file a scratch card with the secretary not later than the scratch time designated for that race.

*b. Preference system.* A system using dates or stars shall be used to determine preference for horses being entered in races. The system being used will be at the option of the racing secretary and approved by the stewards. A preference list will be kept current by the racing secretary and posted in a place readily available to horsemen.

c. *Disputed decision.* When the decision of a race is in dispute, all horses involved in the dispute, with respect to the winner's credit or earnings, shall be liable to all weights or conditions attached to the winning of that race until a winner has been finally adjudged.

**10.5(7) Post positions.** Post positions shall be determined by the racing secretary publicly and by lot. Post positions shall be drawn from also-eligible entries at scratch time. In all races, horses drawn into the race from the also-eligible list shall take the outside post positions.

**10.5(8) Scratch; declaring out.**

a. *Notification to the secretary.* No horse shall be considered scratched, declared out, or withdrawn from a race until the owner, agent, or other authorized person has given notice in writing to the racing secretary before the time set by the association as scratch time. All scratches must be approved by the stewards.

b. *Declaration irrevocable.* Scratching, or the declaration of a horse out of an engagement for a race, is irrevocable.

c. *Limitation on scratches.* No horse shall be permitted to be scratched from a race if the horses remaining in the race number less than ten, unless the stewards permit a lesser number. Where there are more requests to scratch that, if granted, would leave a field less than ten, the stewards shall determine by lot which entrants may be scratched and permitted to withdraw from the race.

d. *Scratch time.* Unless otherwise set by the racing secretary, scratch time shall be:

(1) Stakes races. Scratch time shall be at least 45 minutes before post time.

(2) Other races. Scratch time shall be no later than 9 a.m. of the day of the race.

**10.5(9) Workouts.**

a. *When required.* No horse shall be started unless the horse has raced or has an approved timed workout satisfactory to the stewards. The workout must have occurred on the grounds of a licensed pari-mutuel facility within the previous 30 days. A horse which has not started for a period of 60 days or more shall be ineligible to race until it has completed a timed workout satisfactory to the stewards prior to the day of the race in which entered. No horse shall be taken onto the track for training or a workout except during hours designated by the association. First-time starters must have two approved timed workouts satisfactory to the stewards.

b. *Identification.* The timer or the stewards may require licensees to identify a horse in their care being worked. The owner, trainer or jockey may be required to identify the distance the horse is to be worked and the point on the track where the workout will start.

c. *Information dissemination.* If the stewards approve the timed workout so as to permit the horse to run in a race, they shall make it mandatory that this information is furnished to the public in advance of the race including but not limited to the following means:

(1) Announcement over the track's public address system;

(2) Transmission on the track's message board;

(3) Posting in designated conspicuous places in the racing enclosure; and

(4) Exhibit on track TV monitors at certain intervals if the track has closed circuit TV. If the workout is published prior to the race in either the Daily Racing Form or the track program, then it shall not be necessary to make the announcements set forth above.

d. *Restrictions.* No horse shall be taken onto the track for training or a workout except during hours designated by the association.



**10.5(10) Equipment.**

*a. Whip and bridle limitations.* Unless permitted by the stewards, no whip or substitute for whip shall exceed one pound or 30 inches and no bridle shall exceed two pounds.

*b. Equipment change.* No licensee may change the equipment used on a horse from that used in the horse's last race, unless with permission of the paddock judge. No licensee may add blinkers to a horse's equipment or discontinue their use without the prior approval of the starter, the paddock judge, and the stewards. In the paddock prior to a race, a horse's tongue may be tied down with clean bandages, clean gauze or with a tongue strap.

**10.5(11) Racing numbers.**

*a. Number display.* Each horse in a race shall carry a conspicuous saddlecloth number corresponding to the official number given that horse on the official program.

*b. Coupled entries.* In the case of a coupled or other entry that includes more than one horse, each horse in the entry shall carry the same number, with a different distinguishing letter following the number. As an example, two horses in the same entry shall be entered as 1 and 1-A.

*c. Field horses.* In a combined field of horses, each horse in the field shall carry a separate number.

**10.5(12) Valuation of purse money.** The amount of purse money earned is credited in United States currency and there shall be no appeal for any loss on the exchange rate at the time of transfer from the United States currency to that of another country.

**10.5(13) Dead heats.**

*a.* In the event of a dead heat, the prize money will be distributed in equal shares to the owners of the horses so finishing. In a dead-heat finish for first place, each horse shall be considered a winner of the amount of the purse or prize.

*b.* If a prize includes a cup, plate or other indivisible prize, owners shall draw lots for the prize in the presence of at least two stewards.

*c.* In the event of a dead-heat finish for second place and thereafter, an objection to the winner of the race is sustained, the horses in the dead heat shall be considered to have run a dead heat for first place.

**10.5(14) Purse money presumption.** The fact that purse money has been distributed prior to the issuance of a laboratory report shall not be deemed a finding that no chemical substance has been administered, in violation of these rules, to the horse earning the purse money.

**10.5(15) Equine Infectious Anemia (EIA) test.**

*a. Certificate required.* No horse shall be allowed to start or be stabled on the grounds of the racing establishment unless a valid negative Coggins test or other laboratory-approved negative EIA test certificate is on file with the racing secretary.

*b. Trainer responsibility.* In the event of claims, sales or transfers, it shall be the responsibility of the new trainer to ascertain the validity of the certificate for the horse within 24 hours. If the certificate is either unavailable or invalid, the previous trainer shall be responsible for any reasonable cost associated with obtaining a negative EIA laboratory certificate.

*c. Positive test reports.* Whenever any owner or trainer is furnished a Coggins test positive or positive EIA test result that the horse has equine infectious anemia, the horse shall be removed by the owner or trainer from association premises or approved farms within 24 hours of actual notice to the owner or trainer of the infection.

**10.5(16) Race procedures.**

a. *Full weight.* Each horse shall carry the full weight assigned for that race from the paddock to the starting point, and shall parade past the stewards' stand, unless excused by the stewards.

b. *Touching and dismounting prohibited.* After the horses enter the track, jockeys may not dismount or entrust their horse to the care of an attendant unless because of an accident occurring to the jockey, the horse, or the equipment, and then only with the prior consent of the starter. During any delay during which a jockey is permitted to dismount, all other jockeys may dismount and their horses may be attended by others. After the horses enter the track, only the hands of the jockey or the assistant starter or an outrider on a lead pony may touch the horse before the start of the race.

c. *Jockey injury.* If a jockey is seriously injured on the way to the post, the horse shall be returned to the paddock, a replacement jockey obtained and both the injured jockey and the replacement jockey will be paid by the owner.

d. *Twelve minute parade limit.* After entering the track, all horses shall proceed to the starting post in not more than 12 minutes unless approved by the stewards. After passing the stewards' stand in parade, the horses may break formation and proceed to the post in any manner. Once at the post, the horses shall be started without unnecessary delay. All horses must participate in the parade carrying their weight and equipment from the paddock to the starting post and any horse failing to do so may be disqualified by the stewards. No lead pony leading a horse in the parade shall obstruct the public's view of the horse being led except with permission of the stewards.

e. *Striking a horse prohibited.* In assisting the start of a race, no person other than the jockey, the starter, the assistant starter or the veterinarian shall strike a horse or use any other means to assist the start.

f. *Loading of horses.* Horses will be loaded into the starting gate in numerical order or in any other fair and consistent manner determined by the starter and approved by the stewards.

g. *Delays prohibited.* No person shall obstruct or delay the movement of a horse to the starting post.

**10.5(17) Claiming races.**

a. *Eligibility.*

(1) Registered to race or open claim. No person may file a claim for any horse unless the person:

1. Is a licensed owner at the meeting or the licensed authorized agent for an owner authorized to claim. The owner must be registered in good faith for racing or have started a horse at the meeting; or

2. Has a valid open claim certificate. Any person not licensed as an owner or a licensed authorized agent for the account of such person may request an open claim certificate from the commission:

The person must submit a completed application for a prospective owner's license to the commission. The applicant must have the name of the trainer licensed or eligible to be licensed by the commission who will be responsible for the claim tours. A nonrefundable fee must accompany the application along with any financial information requested by the commission.

The names of the prospective owners shall be prominently displayed in the offices of the commission and the racing secretary. The application will be processed by the commission and when the open claim certificate is exercised, an owner's license will be issued.

(2) One stable claim. No stable which consists of horses owned by more than one person and which has a single trainer may submit more than one claim in any race and an authorized agent may submit only one claim in any race regardless of the number of owners represented.

*b. Procedure for claiming.* To make a claim for a horse, an eligible person shall:

(1) *Deposit.* Deposit to the person's account with the horsemen's bookkeeper the full claiming price and applicable taxes as established by the racing secretary's conditions.

(2) *Filing of claim.* File in a locked claim box maintained for that purpose by the stewards the claim filled out completely and with sufficient accuracy to identify the claim in writing on forms provided by the association at least 10 minutes before the time of the race.

*c. Claim box.*

(1) The claim box shall be approved by the commission and kept locked until 10 minutes prior to the start of the race, when it shall be presented to the stewards or their designee for opening and publication of the claims.

(2) The claim box shall also include a time clock which automatically stamps the time on the claim envelope prior to its being dropped in the box.

(3) No official of an association shall give any information as to the filing of claims therein until after the race has been run.

*d. Claim irrevocable.* After a claim has been filed in the locked box, it shall not be withdrawn.

*e. Multiple claims on single horses.* If more than one claim is filed on a horse, the successful claim shall be determined by lot conducted by the stewards or their representatives.

*f. Coggins test condition.* Rescinded IAB 4/14/93, effective 3/22/93.

*g. Successful claims; later races.*

(1) *Sale or transfer.* No successful claimant may sell or transfer a horse, except in a claiming race, for a period of 30 days from the date of claim.

(2) *Eligibility price.* A horse that is declared the official winner in the race in which it is claimed may not start in a race in which the claiming price is less than the amount for which it was claimed. After the first start back or 30 days, whichever occurs first, a horse may start for any claiming price. A horse which is not the official winner in the race in which it is claimed may start for any claiming price. This provision shall not apply to starter handicaps in which the weight to be carried is assigned by the handicapper. No right, title or interest for any claimed horse shall be sold or transferred except in a claiming race for a period of 30 days following the date of claiming. The day claimed shall not count but the following calendar day shall be the first day. The horse shall be required to continue to race at the track where claimed for the balance of the current race meeting.

(3) *Racing elsewhere.* A horse which was claimed under these rules may not participate at a race meeting other than that at which it was claimed until the end of the meeting, except with written permission of the stewards. This limitation shall not apply to stakes races.

(4) *Same management.* A claimed horse shall not remain in the same stable or under the control or management of its former owner.

(5) When a horse is claimed out of a claiming race, the horse's engagements are included.

*h. Transfer after claim.*

(1) *Forms.* Upon a successful claim, the stewards shall issue in triplicate, upon forms approved by the commission, an authorization of transfer of the horse from the original owner to the claimant. Copies of the transfer authorization shall be forwarded to and maintained by the commission, the stewards, and the racing secretary for the benefit of the horse identifier. No claimed horse shall be delivered by the original owner to the successful claimant until authorized by the stewards. Every horse claimed shall race for the account of the original owner, but title to the horse shall be transferred to the claimant from the time the horse becomes a starter. The successful claimant shall become the owner of the horse at the time of starting, regardless of whether it is alive or dead, sound or unsound, or injured during the race or after it.

(2) Other jurisdiction rules. The commission will recognize and be governed by the rules of any other jurisdiction regulating title and claiming races when ownership of a horse is transferred or affected by a claiming race conducted in that other jurisdiction.

(3) Determination of sex and age. The claimant shall be responsible for determining the age and sex of the horse claimed notwithstanding any designation of sex and age appearing in the program or in any racing publication. In the event of a spayed mare, the (s) for spayed should appear next to the mare's name on the program. If it does not and the claimant finds that the mare is in fact spayed, claimant may then return the mare for full refund of the claiming price.

(4) Affidavit by claimant. The stewards may, if they determine it necessary, require any claimant to execute a sworn statement that the claimant is claiming the horse for the claimant's own account or as an authorized agent for a principal and not for any other person.

(5) Delivery required. No person shall refuse to deliver a properly claimed horse to the successful claimant and the claimed horse shall be disqualified from entering any race until delivery is made to the claimant.

(6) Obstructing rules of claiming. No person or licensee shall obstruct or interfere with another person or licensee in claiming any horse nor enter any agreement with another to subvert or defeat the object and procedures of a claiming race, or attempt to prevent any horse entered from being claimed.

i. *Elimination of stable.* An owner whose stable has been eliminated by claiming may claim for the remainder of the meeting at which eliminated or for 30 racing days, whichever is longer. With the permission of the stewards, stables eliminated by fire or other casualty may claim under this rule.

j. *Deceptive claim.* The stewards may cancel and disallow any claim within 24 hours after a race if they determine that a claim was made upon the basis of a lease, sale or entry of a horse made for the purpose of fraudulently obtaining the privilege of making a claim. In the event of a disallowance, the stewards may further order the return of a horse to its original owner and the return of all claim moneys.

k. *Protest of claim.* A protest to any claim must be filed with the stewards before noon of the day following the date of the race in which the horse was claimed. Nonracing days are excluded from this rule.

#### **491—10.6(99D) Medication and administration, sample collection, chemists, and practicing veterinarian.**

##### **10.6(1) Medication and administration.**

a. No horse, while participating in a race, shall carry in its body any medication, or drug, or foreign substance, or metabolic derivative thereof, which is a narcotic, or which could serve as a local anesthetic, or tranquilizer, or which could stimulate or depress the circulatory, respiratory, or central nervous system of a horse, thereby affecting its speed.

b. Also prohibited are any drugs or foreign substances which might mask or screen the presence of the prohibited drugs, or prevent or delay testing procedures.

c. Proof of detection by the commission chemist of the presence of a medication, or drug, or foreign substance, or metabolic derivative thereof, prohibited by paragraph "a" or "b" in a saliva, urine or blood sample duly taken under the supervision of the commission veterinarian from a horse immediately prior to or promptly after running in a race, shall be prima facie evidence that the horse was administered with the intent that it would carry or that it did carry prohibited medication, drug, or foreign substance, in its body while running in a race in violation of this rule.

*d.* Administration or possession of drugs.

(1) No person shall administer, cause to be administered, participate or attempt to participate in any way in the administration to a horse registered for racing of any medication, drug, foreign substance, or treatment by any route, on the day of the race for which the horse is entered prior to the race.

(2) No person except a veterinarian shall have in their possession any prescription drug. However, a person may possess a noninjectable prescription drug for animal use if:

1. The person actually possesses, within the racetrack enclosure, documentary evidence that a prescription has been issued to said person for such a prescription drug.

2. The prescription contains a specific dosage for the particular horse or horses to be treated by the prescription drug.

3. The horse or horses named in the prescription are then in said person's care within the racetrack enclosure.

(3) No veterinarian or any other person shall have in their possession or administer to any horse within any racetrack enclosure any chemical substance which:

1. Has not been approved for use on equines by the Food and Drug Administration pursuant to the Federal Food, Drug and Cosmetic Act, 21 U.S.C. Section 301 et seq., and implementing regulations, without the prior written approval from a commission veterinarian, after consulting with the board of stewards.

2. Is on any of the schedules of controlled substances as prepared by the Attorney General of the United States pursuant to 21 U.S.C. Sections 811 and 812, without the prior written approval from a commission veterinarian, after consultation with the board of stewards.

The commission veterinarian shall not give such approval unless the person seeking such approval can produce evidence in recognized veterinary journals or by recognized equine experts that such chemical substance has a beneficial, therapeutic use in horses.

(4) No veterinarian or any other person shall dispense, sell or furnish any feed supplement, tonic, veterinary preparation, medication, or any substance that can be administered or applied to a horse by any route to any person within the grounds of the association unless there is a label specifying the name of the substance dispensed, the name of the dispensing person, the name of the horse or horses for which the substance is dispensed, the purpose for which said substance is dispensed, the dispensing veterinarian's recommendations for withdrawal before racing (if applicable), and the name of the person to which dispensed, or is otherwise labeled as required by law.

(5) No person shall have in their possession or in areas under said person's responsibility on association grounds, any feed supplement, tonic, veterinary preparation, medication, or any substance that can be administered or applied to a horse by any route unless it complies with the labeling requirements in 10.6(1) "d"(4).

*e.* Any person found to have administered a medication, drug, or foreign substance which caused or could have caused a violation of this rule, or caused or participated or attempted to participate in any way in the administration, shall be subject to disciplinary action.

*f.* The owner, trainer, groom or any other person having charge, custody or care of the horse is obligated to protect the horse properly and guard it against the administration or attempted administration, and if the stewards shall find that any person has failed to show proper protection and guarding of the horse, or if the stewards find that any owner, lessee or trainer is guilty of negligence, they shall impose punishment and take other action they deem proper under any of the rules including reference to the commission.

g. In order for a horse to be placed on the bleeder list in Iowa through reciprocity, that horse must be certified as a bleeder in another state by a recognized official.

**10.6(2) Sample collection.**

a. Urine, blood and other specimens shall be taken and tested from any horse that the stewards of the meeting, commission veterinarian, or the commission's representatives may designate. Tests are to be under the supervision of the commission. The samples shall be collected by the commission veterinarian or other person or persons the commission may designate.

b. A track shall have a detention barn under the supervision of the commission veterinarian for the purpose of collecting body fluid samples for any tests required by the commission. The building, location, arrangement, furnishings and facilities, including refrigeration and hot and cold running water, must be approved by the commission.

c. No unauthorized person shall be admitted at any time to the building or the area utilized for the purpose of collecting the required body fluid samples or the area designated for the retention of horses pending the obtaining of body fluid samples.

d. During the taking of samples from a horse, the owner or responsible trainer, or a representative designated by the owner or trainer, may be present and witness the taking of the sample and so signify in writing. Failure to be present and witness the collection of the samples constitutes a waiver by the trainer or representative of any objections to the source and documentation of the sample.

e. A security guard, approved by the commission, must be in attendance during the hours designated by the commission.

f. The commission veterinarian, the board of stewards, agents of the division of criminal investigation, or the authorized representative of the commission may take samples of any medicine or other materials suspected of containing improper medication, drugs, or other substance which could affect the racing condition of a horse in a race which may be found in barns or elsewhere on racetracks or in the possession of any person connected with racing, and the same shall be delivered to the official chemist for analysis.

g. Nothing in these rules shall be construed to prevent:

(1) Any horse in any race from being subjected by the order of a steward or the commission veterinarian to tests of body fluid samples for the purpose of determining the presence of any foreign substance.

(2) The state steward or the commission veterinarian from authorizing the splitting of any sample.

(3) The commission veterinarian from requiring body fluid samples to be stored in a frozen state for future analysis.

Administration of Lasix and phenylbutazone shall be allowed only as permitted under Iowa Code section 99D.25; however, the tolerance level for phenylbutazone shall not exceed two point two micrograms per milliliter of blood.

h. Before leaving the racing surface, the trainer shall ascertain the testing status of the horse under the trainer's care from the commission veterinarian or designated test barn representative.

i. The administration of Lasix shall occur in the horse's stall, unless the commission provides that a horse must be brought to the detention barn for treatment.

**10.6(3) Chemists.**

a. The commission shall employ one or more chemists or contract with one or more qualified chemical laboratories to determine by chemical testing and analysis of body fluid samples whether a foreign substance, medication, drug or metabolic derivative thereof is present.

b. All body fluid samples taken by or under direction of the commission veterinarian or authorized representative of the commission shall be delivered to the laboratory of the official chemist for analysis. Each sample shall be marked or numbered and bear information essential to its proper analysis; but the identity of the horse from which the sample was taken or the identity of its owners or trainer shall not be revealed to the official chemist or the staff of the chemist. The container of each sample shall be sealed as soon as the sample is placed therein.

c. The commission chemist shall be responsible for safeguarding and testing each sample delivered to the laboratory by the commission veterinarian.

d. The commission chemist shall conduct individual tests on each sample, screening them for prohibited substances, and conducting other tests to detect and identify any suspected prohibited substance or metabolic derivative thereof with specificity. Pooling of samples shall be permitted only with the knowledge and approval of the commission.

e. Upon the finding of a test negative for prohibited substances, the remaining portions of the sample may be discarded. Upon the finding of tests suspicious or positive for prohibited substances, the tests shall be reconfirmed, and the remaining portion, if available, of the sample preserved and protected for two years following close of meet.

f. The commission chemist shall submit to the commission a written report as to each sample tested, indicating by sample tag identification number, whether the sample was tested negative or positive for prohibited substances. The commission chemist shall report test findings to no person other than the administrator or designee. In addition to the administrator, the commission chemist shall notify the state steward of all positive tests.

(1) In the event the commission chemist should find a sample suspicious for a prohibited medication, additional time for test analysis and confirmation may be requested.

(2) The racing association shall not make distribution of any purses until given clearance of chemical tests by the state steward.

g. In reporting to the state steward a finding of a test positive for a prohibited substance, the commission chemist shall present documentary or demonstrative evidence acceptable in the scientific community and admissible in court in support of the professional opinion as to the positive finding.

h. No action shall be taken by the state steward on the report of the official chemist unless and until the medication, drug or other substance has been properly identified as well as the horse from which the sample was taken, nor until an official report signed by the chemist has been received by the state steward.

i. The cost of the testing and analysis shall be paid by the commission to the official chemist. The commission shall then be reimbursed by each licensed association on a per sample basis so that each association shall bear only its proportion of the total cost of testing and analysis. The commission may first receive payment from funds provided in Iowa Code chapter 99D, if available.

**10.6(4) *Practicing veterinarian.***

**a. Prohibited acts.**

(1) Ownership. A licensed veterinarian practicing at any meeting is prohibited from possessing any ownership, directly or indirectly, in any racing animal racing during the meeting.

(2) Wagering. Veterinarians licensed by the commission as veterinarians are prohibited from placing any wager of money or other thing of value directly or indirectly on the outcome of any race conducted at the meeting at which the veterinarian is furnishing professional service.

(3) Prohibition of furnishing injectable materials. No veterinarian shall within the association grounds furnish, sell or loan any hypodermic syringe, needle, or other injection device, or any drug, narcotic or prohibited substance to any other person within the grounds of an association where racing animals are housed unless with written permission of the stewards.

*b.* Single-use syringes. The use of other than single-use disposable syringes and infusion tubes on association premises is prohibited. Whenever a veterinarian has used a hypodermic needle or syringe the veterinarian shall destroy the needle and syringe and remove it from the association premises.

*c.* Veterinarians must submit daily to the commission veterinarian on a prescribed form a report of all medications and other substances which the veterinarian prescribed, administered or dispensed for racing animals registered at the current race meeting as provided in Iowa Code section 99D.25. Reports shall be submitted in a manner and at a time determined by the commission veterinarian not later than the day following the treatments being reported. Reports shall include the racing animal, trainer, medication or other substance, dosage or quantity, route of administration and time administered, dispensed or prescribed.

*d.* Twenty minutes following the administration of Lasix, the veterinarian must deliver a signed affidavit certifying information regarding the treatment of the horse. The statement must at least include the name of the practicing veterinarian, the tattoo number of the horse, the location of the barn and stall where the treatment occurred, the race number of the horse, the name of the trainer, and the time that the Lasix was administered.

*e.* Report of illness. Each veterinarian shall report immediately to the commission veterinarian any illness presenting unusual or unknown symptoms in a racing animal entrusted into the veterinarian's care.

*f.* Employees. Practicing veterinarians may have employees working under their direct supervision licensed as "veterinary assistants" or "veterinary technicians." Activities of these employees shall not include direct treatment or diagnosis of any racing animal. A practicing veterinarian must be present if an employee is to have access to injection devices or injectables.

*g.* Equine dentistry. Equine dentistry is considered a function of veterinary practice by the Iowa Veterinary Practice Act. Any dental procedures performed at the racetrack must be performed by a licensed veterinarian or a licensed veterinary assistant.

**491—10.7(99D) Simulcast.** Rescinded IAB 3/6/91, effective 4/10/91.

These rules are intended to implement Iowa Code chapter 99D.



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CHAPTER 11  
 APPLICATION FOR TAX CREDIT BY  
 HORSE RACING LICENSEES  
 Rescinded IAB 8/17/94, effective 9/21/94

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Effective date delay lifted by the Committee at its February 13, 1989, meeting.

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◊Two ARCs